

SENATE BILL REPORT

E2SHB 1711

As Reported by Senate Committee On:
Natural Resources & Parks, March 28, 2017
Ways & Means, April 4, 2017

Title: An act relating to prioritizing lands to receive forest health treatments.

Brief Description: Prioritizing lands to receive forest health treatments.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Kretz, Springer, Pettigrew, Schmick, Short and Condotta).

Brief History: Passed House: 3/06/17, 98-0.

Committee Activity: Natural Resources & Parks: 3/16/17, 3/28/17 [DP-WM].
Ways & Means: 3/31/17, 4/04/17 [DPA].

Brief Summary of Amended Bill

- Directs the Department of Natural Resources to conduct forest health treatment prioritization and planning.
- Establishes a mechanism and revolving account for forest health treatment sales.
- Makes the specific provisions for prioritizing and implementing forest health treatments subject to the availability of appropriated funds.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Member; Fortunato and McCoy.

Staff: Curt Gavigan (786-7437)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Braun, Chair; Brown, Vice Chair; Rossi, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Padden, Pedersen, Rivers, Schoesler, Warnick and Zeiger.

Staff: Jed Herman (786-7346)

Background: Department of Natural Resources (DNR) Trust Land Management. DNR manages a number of different categories of land, each for a specific purpose and under different management requirements. These include approximately 3 million acres of federally granted lands and state forest lands, which DNR manages to support common schools, counties, and other public institutions.

Revenue earned through timber sales and other activities conducted by DNR benefit the identified trust beneficiary for the land. First, however, statute authorizes DNR to deduct a portion of the revenue to defray the agency's costs in managing land.

DNR Fire and Forest Health Programs. DNR has direct charge of and supervision over all matters pertaining to the forest fire service of the state, specifically including the work of suppressing forest fires. Additionally, in 2007 the Legislature designated DNR as the state lead in developing a comprehensive forest health program for the state and created a tiered advisory and regulatory system to address forest health issues.

Summary of Amended Bill: Directs DNR to Conduct Forest Health Treatment Prioritization and Planning. DNR must develop and implement a policy to prioritize forest health treatments to protect DNR-managed uplands. DNR must consider a number of factors in prioritizing treatments, such as:

- timber or commercial products removed during treatment, or spared from potential fire damage;
- structures, agricultural products, and infrastructure spared from potential fire; and
- impacts to recreation, tourism, and ecosystem services.

Using this prioritization policy, DNR must identify DNR-managed uplands that would benefit from forest health treatment at the landscape level during the next 20 years, including those that would benefit the most from treatment in the next six years. Each biennium, DNR must prioritize and list specific lands for treatment in the subsequent biennium.

DNR should take into consideration and consult with nearby landowners to develop a landscape level approach. Federal, local, and private lands may be included on the treatment list, but any treatments on those lands must be conducted with non-trust funds and must produce a net benefit to DNR-managed uplands.

Each biennium, DNR must report on its progress, prioritized list, and recommended funding levels for forest health treatments.

Establishes a Process for Forest Health Treatment Sales. The Forest Health Revolving Account (account) is created as a non-appropriated account to receive revenue from forest

health treatment sales as well as pay for the costs of those treatments. Unobligated amounts under \$10 million at the end of each calendar year are not subject to disbursements to trust beneficiaries or DNR's management deduction, and unobligated amounts over \$10 million must be distributed to the appropriate trust beneficiary. The Commissioner of Public Lands or a designee may authorize account expenditures. The account may also receive gifts, fund transfers, and federal funds.

DNR's expenditures from the account must generally be consistent with its forest health treatment prioritization policy. However, DNR may reprioritize the list in the event of changed circumstances or emerging information. DNR need not follow the prioritization policy if it is not compatible with federal or other funding received for forest health treatments.

The act includes a null and void clause.

EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):

- Makes the specific provisions of the act subject to available appropriated funds.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Natural Resources & Parks): PRO: This bill is about improving forest health resiliency. It directs DNR to look out and plan treatments into the future, and develops an account structure to help support implementing treatments. This is a good way to develop a forest health treatment framework and identify achievable goals. It will also address the conditions that have caused catastrophic wildfires in recent years.

Persons Testifying (Natural Resources & Parks): PRO: Representative Joel Kretz, Prime Sponsor; Loren Torgerson, WADNR; Scott Richards, The Nature Conservancy.

Persons Signed In To Testify But Not Testifying (Natural Resources & Parks): No one.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: By prioritizing the lands needing treatment, we can be more efficient in the way we use resources. The bill will add transparency to the way the forest health program is implemented.

Persons Testifying (Ways & Means): PRO: Tom Bugert, The Nature Conservancy; Loren Torgerson, WADNR.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.